

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

- - - - -	x	
	:	
UNITED STATES OF AMERICA	:	<b>Affirmation in Support</b>
	:	<b>of Application for</b>
- v. -	:	<b>Order of Continuance</b>
	:	
ZACHARY CLARK,	:	19 Mag. 11095
	:	
Defendant.	:	
	:	
- - - - -	x	

State of New York	)
County of New York	: ss.:
Southern District of New York	)

Gillian Grossman, pursuant to Title 28, United States Code, Section 1746, hereby declares under penalty of perjury:

1. I am an Assistant United States Attorney in the Office of Geoffrey S. Berman, United States Attorney for the Southern District of New York. I submit this affirmation in support of an application for an order of continuance of the time within which an indictment or information would otherwise have to be filed, pursuant to 18 U.S.C. § 3161(h) (7) (A).

2. The defendant was charged in a complaint dated November 25, 2019 with violations of 18 U.S.C. §§ 2, 842(p), and 2339B. On November 27, 2019, the defendant was arrested and was presented before the Honorable Robert W. Lehrburger. The defendant was detained on consent. Jonathan Marvinny, Esq., was appointed as defense counsel. Defense counsel waived the preliminary hearing date until the 30th day from presentment.

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3. Pursuant to Rule 5.1 of the Federal Rules of Criminal Procedure, the deadline for a preliminary hearing in this matter is 30 days from the date of the presentment. Accordingly, the Government has until December 30, 2019 to charge the defendant by indictment or information.

4. Mr. Marvinny and I have had discussions regarding a possible disposition of this case beginning on or about December 6, 2019. The negotiations have not been completed and we plan to continue our discussions, but do not anticipate a resolution before the deadline under Rule 5.1 expires on December 30, 2019.

5. Therefore, the Government is requesting a 30-day continuance until January 29, 2019, to continue the foregoing discussions and reach a disposition of this matter. On or about December 16, 2019, I communicated with defense counsel and he specifically consented to this request.

6. For the reasons stated above, the ends of justice served by the granting of the requested continuance outweigh the best interests of the public and defendant in a speedy trial.

Dated: New York, New York  
December 19, 2019

  
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Gillian Grossman  
Assistant United States Attorney  
Southern District of New York  
212-637-2188